

REMARKS

Rejections over Liebenow (US Pat. 6,522,640), Brandt (US Pat. 4,727,535), and Henderson (US Pat. 6,611,681)

Claims 1-21 stand rejected over Liebenow in combination with Brandt and, in the case of claim 9, Henderson. The examiner acknowledges that the applicant “appeared to establish a case of **direct** analog modulation of an **original** analog voiceband data [signal] received over the telephone line” (Office Action of November 29, 2006, emphasis in original), but maintains that claim 1 is not so narrow. Without conceding the examiner’s position, claim 1 has been amended to recite that “the base unit includes a transmitter for direct analog modulation of an original analog voiceband data signal.”

The amendment of claim 1 makes very clear that first representing an original analog voiceband signal in digital form and then modulating the digital signal to form an analog radio signal is outside the scope of the claim. That is, “**direct**” analog modulation is to be understood to exclude indirect modulation using a digital representation.

Liebenow absolutely fails to disclose “direct analog modulation of an original analog voiceband data signal.” Brandt and Henderson do not supply this feature. Claim 1 is patentable for at least this reason, as are amended claims 11, 16, and 17. The remaining claims are all properly dependent on one or more of the independent claims, and thus allowable therewith. Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner’s reasons for rejecting the dependent claims.

Please apply any charges or credits to deposit account 06-1050, attorney docket 12203-007001.

Applicant : Ernie Lin et al.
Serial No. : 10/723,442
Filed : November 26, 2003
Page : 7 of 7

Attorney's Docket No.: 12203-007001

Date: 1-30-2007

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21539711.doc

Respectfully submitted,



Misha Kim Hill
Reg. No. 59,737